

ERICK MENDEZ, ETAL

Plaintiff(s)

- against -

Index # 07 CIV 8428

NONNA RESTAURANT CORP. D/B/A ROC RESTAURANT, ETAL

Purchased September 28, 2007

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BARRY F. GERMAN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on October 4, 2007 at 01:50 PM at

190-A DUANE STREET  
NEW YORK, NY10013

deponent served the within SUMMONS AND COMPLAINT on NONNA RESTAURANT CORP. D/B/A ROC RESTAURANT therein named,

**CORPORATION** a DOMESTIC corporation by delivering thereat a true copy of each to MARK "SMITH" personally, deponent knew said corporation so served to be the corporation described in said SUMMONS AND COMPLAINT as said Defendant and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	BLONDE	38	5'10	180
MUSTACHE, GOATEE					

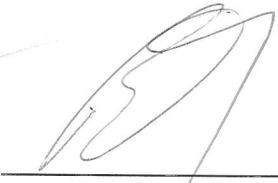
PERSON SPOKEN TO REFUSED TO STATE TRUE FIRST AND/OR LAST NAMES

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: October 5, 2007

JOEL GRABER  
Notary Public, State of New York  
No. 02GR4699723  
Qualified in New York County  
Comm. Expires February 10, 2010

JONATHAN GRABER  
Notary Public, State of New York  
No. 01GR6156780  
Qualified in New York County  
Comm. Expires December 4, 2010

  
**BARRY F. GERMAN**  
License #: 982866  
Invoice #: 448838